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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,237	12/19/2001	Andrew Paul Chapple	C7592(V)	7388

201 7590 06/02/2003

UNILEVER  
PATENT DEPARTMENT  
45 RIVER ROAD  
EDGEWATER, NJ . 07020

EXAMINER
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KUMAR, PREETI

ART UNIT	PAPER NUMBER
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1751

DATE MAILED: 06/02/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/025,237

Applicant(s)

CHAPPLE ET AL.

Examiner

Pre ti Kumar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspond nce address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 March 2003.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-16 are pending.

#### ***Response to Amendment***

2. The rejection of claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beggs et al. (US 6,218,350) is maintained for the reasons recited in the previous office action and further explained below.
3. Examiner acknowledges the preliminary amendment received November 7, 2002 requesting to correct inventorship by adding Neil James Parry and the accompanying statement as filed in paper no.6.
4. Applicants cite an attached statement of common ownership in paper no.8, stating that, "Convents does not appear to be citable against the present invention under 35 USC 102(e)/103 due to the commone ownership. See the attached statement." There is no attached statement of record in the file for the examiner to review and acknowledge. And also Convents was not used in a prior art rejection.

#### ***Response to Arguments***

5. Applicant's arguments filed March 11, 2003 have been fully considered but they are not persuasive. Applicant's urge that Beggs et al. do not teach granulation of the antibody with the alkali metal salt. Please see page 5 of the previous office action where the examiner clearly states that Beggs et al. do not specifically teach an antibody granule granulated with an alkali metal salt as recited by the instant claims. However, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to formulate an antibody granule granulated with an alkali metal salt as recited by

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the instant claims, with a reasonable expectation of success, because the teachings of Beggs et al. suggest a bleaching composition comprising an antibody and an alkali metal salt and the other requisite limitations as recited by the instant claims.

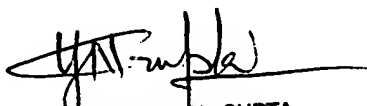
Specifically regarding the newly added claim 13, Beggs et al. teach that an enzymatic detergent composition which comprises from 0.1-50% by weight, based on the total detergent composition, of one or more surfactants. This surfactant system may in turn comprise 0-95% by weight of one or more anionic surfactants and 5-100% by weight of one or more nonionic surfactants. Beggs et al. teach suitable anionic detergent compounds which may be used are sodium and potassium alkyl sulphates, especially those obtained by sulphating higher C8 -C18 alcohols, produced for example from tallow or coconut oil, sodium and potassium alkyl C9 -C20 benzene sulphonates, particularly sodium linear secondary alkyl C10 -C15 benzene sulphonates. See col.7, ln.45-55. Specifically regarding the newly added claim 14, Beggs et al. teach that the compound should bind the stain, or the stained material, with a  $K_d$  lower than  $10^{-5}$  M, preferably lower than  $10^{-6}$  M and could be  $10^{-10}$  M or even less. See col.4, ln.20-30. Specifically regarding the newly added claims 15 and 16, please see example 5, col.10.

The prior art differs from the instant claims in that there is no teaching of the step of granulating the alkali metal salt with the antibody. However, the examiner asserts that the teachings of Beggs et al. suggest the combination of an antibody and an alkali metal salt in a detergent composition and thereby the teachings of Beggs et al. encompass the material limitations of the instant claims.

**Conclusion**

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Preeti Kumar whose telephone number is 703-305-0178. The examiner can normally be reached on M-F 9:00am - 5:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on 703-308-4708. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-872-9309.

PK  
May 29, 2003

  
YOGENDRA N. GUPTA  
SUPERVISORY PATENT EXAMINER  
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Preeti Kumar  
Examiner  
Art Unit 1751